

Message Text

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PAGE 01 STATE 047197

ORIGIN OES-06

INFO OCT-01 EUR-12 ISO-00 FEA-01 ACDA-07 AGRE-00 AID-05
CEA-01 CEQ-01 CG-00 CIAE-00 COME-00 DLOS-06 DODE-00
DOTE-00 EB-08 EPA-01 ERDA-05 FMC-01 TRSE-00 H-01
INR-07 INT-05 IO-13 JUSE-00 L-03 NSAE-00 NSC-05
NSF-01 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06
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EUR/RPE - W. SALISBURY

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FM SECSTATE WASHDC

TO USMISSION EC BRUSSELS PRIORITY

INFO AMEMBASSY COPENHAGEN PRIORITY

AMEMBASSY PARIS PRIORITY

AMEMBASSY BONN PRIORITY

AMEMBASSY LONDON PRIORITY

AMEMBASSY THE HAGUE PRIORITY

AMEMBASSY LUXEMBOURG PRIORITY

AMEMBASSY DUBLIN PRIORITY

AMEMBASSY ROME PRIORITY

AMEMBASSY BRUSSELS PRIORITY

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E.O. 11652: N/A

TAGS: EFIS, XN, US, EC

SUBJECT: AIDE MEMOIR RE US/EC FISHERIES AGREEMENT

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PAGE 02 STATE 047197

1. IN FINAL ROUND OF US/EC FISHERY NEGOTIATIONS IN
WASHINGTON, BOTH SIDES SOUGHT MEANS TO ACCOMMODATE THE
U.S. DESIRE TO CLARIFY WHO AMONG COMMUNITY MEMBERS
WILL IN FACT GET PERMITS AND, AT THE SAME TIME, AVOID
LANGUAGE ON THE FACE OF THE GIFA WHICH WOULD SUGGEST
DISCRIMINATION AMONG COMMUNITY MEMBERS. THE FOLLOWING
COMPROMISE SOLUTION WAS AGREED TO:

1. THE DEPT. WOULD DROP ITS PROPOSED MINUTE IN THE AGREEMENT CONCERNING TRADITIONAL FISHING AS A CRITERIAN FOR RECEIVING ALLOCATIONS,
2. THE DEPT. WOULD MAKE A POLICY STATEMENT BEFORE CONGRESS ON THE SUBJECT AND SEND THE STATEMENT TO THE EC,
3. THE EC WOULD ACKNOWLEDGE RECEIPT OF THE COMMUNICATION WITHOUT FURTHER COMMENT.

2. DEPT. REQUESTS USEC TO PROVIDE FOLLOWING TEXT OF AN AIDE MEMOIRE TO EC COMMISSION:

BEGIN TEXT:

REFERENCE IS MADE TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE

EUROPEAN ECONOMIC COMMUNITY CONCERNING FISHERIES OFF THE COASTS OF THE UNITED STATES, SIGNED IN WASHINGTON, FEBRUARY 15, 1977.

WE ARE TRANSMITTING FOR YOUR INFORMATION THE TEXT OF THAT PORTION OF A STATEMENT MADE BY AN OFFICIAL OF THE DEPARTMENT OF STATE ON FEBRUARY 22, 1977, BEFORE THE HOUSE SUBCOMMITTEE ON FISHERIES AND WILDLIFE CONSERVATION AND THE ENVIRONMENT, WHICH RELATES TO THIS AGREEMENT QUOTE:

ON PREVIOUS OCCASIONS, I HAVE REPORTED THAT THE UNITED STATES WAS PREPARED TO ENTER INTO A GOVERNING INTERNATIONAL FISHERY AGREEMENT WITH THE EUROPEAN COMMUNITY, THREE OF WHOSE MEMBERS TRADITIONALLY HAVE FISHED LIMITED OFFICIAL USE

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PAGE 03 STATE 047197

OFF OUR COASTS, PROVIDED THE COMMUNITY WAS ABLE TO UNDERTAKE THE OBLIGATIONS IN THE ACT WHICH HAVE BEEN INCORPORATED IN THE AGREEMENTS. I'M SURE YOU HAVE NOTED THAT, IN FORM AND CONTENT, THE COMMUNITY AGREEMENT IS LIKE ALL THE OTHERS, INCLUDING THOSE WITH SPAIN AND KOREA. THERE ARE, OF COURSE, MINOR DIFFERENCE AS TO ORGANIZATION, PLACEMENT, AND EXPLICITNESS AMONG ALL THE AGREEMENTS. WE HAVE ASKED OURSELVES TWO QUESTIONS WITH RESPECT TO EACH OF THE TEN AGREEMENTS NEGOTIATED. DOES IT ACKNOWLEDGE THE EXCLUSIVE FISHERY MANAGEMENT AUTHORITY OF THE UNITED STATES IN A ZONE OUT TO 200 MILES? AND, DOES IT PROVIDE FOR THE ENFORCEMENT AND IMPLEMENTATION BY THE UNITED STATES OF ALL THE FEATURES OF THE ACT? IN EVERY CASE, THE ANSWER IS YES.

SO, IN CONTENT THERE IS NOTHING UNUSUAL ABOUT THE AGREEMENT WITH THE COMMUNITY. BUT A DIFFERENT QUESTION DOES ARISE. AS BETWEEN THE COMMUNITY AND THE UNITED STATES, DOES THE TRADITIONALITY OF FISHING BY THREE

COMMUNITY MEMBERS -- FRANCE, THE FEDERAL REPUBLIC OF GERMANY, AND ITALY -- NOW COVER THE COMMUNITY AS A WHOLE SO THAT THE COMMUNITY CAN ALLOCATE AS IT CHOOSES AMONG ITS MEMBERS? AND, IF IT DOES NOT, WHO DETERMINES, AND BY WHAT PROCESS, WHICH VESSELS OF WHICH MEMBER STATES OF THE COMMUNITY ACTUALLY RECEIVE PERMITS TO FISH OFF THE COAST OF THE COMMUNITY?

THROUGHOUT THE NEGOTIATIONS WITH THE COMMUNITY, THE UNITED STATES MADE CLEAR THAT IT UNDERSTOOD THAT THE COMMUNITY NOW HAS A COMMON FISHERIES POLICY AND THAT THE OBJECTIVE OF THE NEGOTIATION WAS TO ACCOMMODATE THE INTERESTS OF THE THREE MEMBER STATES WHICH TRADITIONALLY HAVE FISHED OFF OUR COASTS. THE UNITED STATES RETAINS THE RIGHT, THROUGH THE DOMESTIC PROCESS OF

APPROVING APPLICATIONS AND ISSUING PERMITS, TO DETERMINE LIMITED OFFICIAL USE

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PAGE 04 STATE 047197

WHO SHALL FISH OFF OUR COASTS. UNTIL SUCH TIME AS THE FISH STOCKS OFF OUR COAST REBUILD, AND EVEN THEN, ONLY WHEN THEY ARE IN EXCESS TO THE HARVESTING CAPACITY OF THE U.S. FLEET, WE DO NOT EXPECT TO ALLOCATE, OR TO APPROVE APPLICATIONS FOR, ANY COUNTRY THAT HAS NO RECORD OF A TRADITIONAL FISHERY. FOR THIS YEAR, CLEARLY, PERMITS WILL BE AVAILABLE ONLY TO FRANCE, ITALY, AND THE FEDERAL REPUBLIC OF GERMANY. FOR THE LIFE OF THE AGREEMENT WE RETAIN THE RIGHT TO ACCEPT, OR TO REJECT, THE APPLICATION FOR A PERMIT FOR ANY VESSEL.
UNQUOTE.
VANCE

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NNN

Message Attributes

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